APPENDIX.

[Vide answer to starred question No. 1084 asked by Sri M. Rajeswara Rao at the meeting of the Legislative Assembly held on 27th July 1953, page 1420 supra.]

(*a*) Yes.

(*b*) The following action has been taken by the Government from time to time to minimise the inconvenience :—

(i) Normally the Tribunals should hold their sittings only at the headquarters of each district. In order to avoid inconvenience and expenses to parties, the Government have ordered that if the parties so desire there is no objection to their cases being heard at the headquarters of any neighbouring district. The Government have also ordered that Tribunals should pass orders in urgent cases at their headquarters after hearing the cases at the district headquarters. Further under instructions recently issued by the Government, cheques are being delivered by Tribunals at the headquarters of the district to which a particular payee belongs when the Tribunal sits at that station. If the payee makes a request that the cheques be delivered earlier either at the headquarters of the Tribunal or at the nearest camping station according to his choice, it is being done. On a representation from the Bar Association, Srikakulam, and the Inam Ryots' Association, the Government have ordered that hearing of cases relating to the Srikakulam district, the Tribunal at Vizianagaram should hold its sittings at Srikakulam as Vizianagaram is far away to most places lying north of Srikakulam.

(ii) In order to prevent frivolous and vexatious claims, the Government have ordered the levy of Court-fees on applications from creditors. In addition, the Tribunals have also been instructed to make use of section 35-A of the Civil Procedure Code, to award costs in appropriate cases. A specific rule empowering the Tribunals to award costs has also been framed.

(iii) The Government have decided to step up the total amount of advance compensation payable under section 54-A to Rs. 6½ crores and that out of this a sum of Rs. 3 crores should be paid in bonds. A rule under section 40 (1) of the Abolition Act has been framed for taking powers for the deposit of advance compensation in bonds. Instructions have also been issued to the Estate Abolition Tribunals to adopt the following procedure for quick payment of advance compensation. :—

(*a*) The Tribunal shall set apart—

(1) one-fifth of each of the said amounts for the purpose of meeting the claims of maintenance holders.

(2) such portion of each of the said amounts as, in its opinion, may be required for the purpose of meeting the claims made, within six months from the date on which the amount was deposited in the office of the Tribunal, by the creditors and other

27th July 1953]

persons (not being sharers and maintenance holders) and apportion the balance among the sharers as far as possible in accordance with the value of their respective interests. The provisions of sections 44 (2), 45 (6), 48, 49, 51, 52 and 53 shall apply in respect of the said balance.

(*b*) Before paying the amount due to a sharer under clause (*a*), the Tribunal shall require him to enter into a bond with two sureties undertaking to refund the amount, if any, payable which on final determination of the total amounts payable to the claim out of (i) the amount deposited under section 54-A, sub-sections (i) and (ii) the amount deposited in bonds, may be found to have been paid to him in excess.

(iv) Till recently there were only three Tribunals with headquarters at Vizianagaram, Chittoor and Madurai. As it is felt that there is heavy work for the Tribunals and to minimise their jurisdiction thereby minimising the inconvenience to parties, a fourth Tribunal with the headquarters at Nuzvid, Krishna district, has been constituted.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS